

ASSEMBLY BILL

No. 2265

Introduced by Assembly Member Roger Hernández

February 24, 2012

An act to add Sections 22596, 36652, and 36742.5 to the Streets and Highways Code, relating to improvement districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2265, as introduced, Roger Hernández. Improvement districts.

The Property and Business Improvement District Law of 1994 and the Multifamily Improvement District Law both require a management district plan for an improvement district proposed under either law to include specified information. Both laws require a city council to contract with a nonprofit corporation if the management district plan designates the nonprofit corporation to provide services to the improvement district.

The Landscaping and Lighting Act of 1972 sets forth the procedures for establishing an assessment district under the act, including the preparation of reports by an engineer.

This bill would prohibit the city council, the owners' association, and the nonprofit corporation, if one is designated, in the case of a district formed pursuant to the Property and Business Improvement District Law of 1994 or the Multifamily Improvement District Law, from contracting for services relating to the management or operation of the district with any individual, firm, corporation, partnership, limited liability company, association, or other organization that was previously contracted with for services relating to the formation of the district. The bill would also prohibit a local agency, in the case of an assessment district formed pursuant to the Landscaping and Lighting Act of 1972,

from contracting for services relating to the management or operation of the district with any individual, firm, corporation, partnership, limited liability company, association, or other organization that was previously contracted with for services relating to the formation of the district.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 22596 is added to the Streets and
2 Highways Code, to read:

3 22596. A local agency shall not contract for services relating
4 to the management or operation of an assessment district pursuant
5 to this part with any individual, firm, corporation, partnership,
6 limited liability company, association, or other organization that
7 was previously contracted with for services relating to the
8 formation of the district.

9 SEC. 2. Section 36652 is added to the Streets and Highways
10 Code, to read:

11 36652. The city council, owners' association, or a nonprofit
12 corporation designated pursuant to Section 36650 shall not contract
13 for services relating to the management or operation of the district
14 with any individual, firm, corporation, partnership, limited liability
15 company, association, or other organization that was previously
16 contracted with for services relating to the formation of the district.

17 SEC. 3. Section 36742.5 is added to the Streets and Highways
18 Code, to read:

19 36742.5. The city council, owners' association, or a nonprofit
20 corporation designated pursuant to Section 36650 shall not contract
21 for services relating to the management or operation of the district
22 with any individual, firm, corporation, partnership, limited liability
23 company, association, or other organization that was previously
24 contracted with for services relating to the formation of the district.